

IN THE CLAIMS:

This listing of claims replaces all prior versions and listings of claims in the application:

1. (currently amended) An apparatus for maintaining patency of a pharyngeal ~~vessel or other~~ region of a human or animal body, the apparatus comprising:

an appliance comprising a body portion and end portions spaced apart by the body portion, the body portion and the end portions together define an interior open space,

the appliance being structured and sized to take on a deployed configuration when located within the pharyngeal ~~vessel or other body~~ region, such that (a) the interior space remains open, (b) the end portions are spaced apart from each other by other than the body portion, the end portions overlap each other, or the end portions directly contact each other, and (c) the appliance exerts a force on the pharyngeal ~~vessel or other body~~ region to maintain the region substantially open or unobstructed, or to cause the region to be maintained substantially open or unobstructed.

2. (original) The apparatus of claim 1 wherein the appliance is structured to form a relatively flat configuration.

3. (currently amended) The apparatus of claim 1 wherein the appliance is configured and structured to be submucosally implanted into the pharyngeal ~~vessel or other body~~ region and defines a substantially flat configuration when in other than the deployed configuration.

4. (original) The apparatus of claim 1 wherein the appliance comprises a super-elastic material.

5. (original) The apparatus of claim 1 wherein the appliance comprises Nitinol.

6. (original) The apparatus of claim 1 wherein the end portions are radiused.

7. (withdrawn) The apparatus of claim 1 wherein the appliance has a length defined between the end portions, and the appliance comprises a plurality of struts extending along a substantial portion of the length.

8. (withdrawn) The apparatus of claim 7 wherein said plurality of struts comprise a super-elastic material.

9. (withdrawn) The apparatus of claim 7 wherein said plurality of struts comprise Nitinol.

10. (currently amended and withdrawn) The apparatus of claim 1 wherein the appliance comprises at least about 2 struts structured to be spaced apart from one another when implanted in the pharyngeal ~~vessel or other body~~ region.

11. (withdrawn) The apparatus of claim 10 wherein the struts are sized and structured to be submucosally implanted in a vessel.

12. (currently amended and withdrawn) The apparatus of [[any of]] claim 11 wherein struts are sized and structured to be implanted in the vessel such that the struts are aligned along a longitudinal axis defined by the vessel.

13. (canceled)

14. (currently amended) A method for maintaining patency of or for causing to become patent, open or unobstructed, a pharyngeal [[body]] region of a human or an animal, the method comprising the steps of:

providing a flat or pre-curved member having a body portion and end portions spaced apart by the body portion, the body portion and the end portions together defining an interior open space;

pulling end portions of the flat or pre-curved member together to form a folded configuration;

holding or temporarily securing the end portions together;

placing the member, in the folded configuration, into a pharyngeal [[body]] region to be treated; and

releasing the end portions from being held or secured together, thereby allowing the

member to expand within the pharyngeal ~~[[body]]~~ region so that the interior open space remains open.

15. (currently amended) The method of claim 14 wherein the expanded member within the pharyngeal ~~vessel or other body~~ region is effective to provide a substantially constant radial force against the walls or tissues of the pharyngeal ~~[[body]]~~ region.

16. (currently amended) A method for maintaining patency of or for causing to become patent, open or unobstructed, a pharyngeal region ~~[[vessel]]~~ of a human or animal, the method comprising the steps of:

providing an elongated member having a desired stiffness and resiliency, the elongated member comprising a body portion and end portions spaced apart from the body portion, the body portion and the end portions together defining an interior open space; and

implanting the elongated member submucosally into walls of the pharyngeal region ~~[[vessel]]~~ in alignment with a longitudinal axis so that the interior open space remains open.

17. (currently amended) The method of claim 16 further comprising the step of providing another said elongated member;

implanting the another said elongated member submucosally into the pharyngeal region ~~[[vessel]]~~ in alignment with and spaced apart from the elongated member to provide support to the pharyngeal region ~~[[vessel]]~~.

18. (previously presented) The apparatus of claim 1 wherein the body portion and end portions are made of mesh construction.

19. (previously presented) The method of claim 14 wherein the body portion and end portions are made of mesh construction.

20. (previously presented) The method of claim 16 wherein the body portion and end portions are made of mesh construction.

21. (new) The apparatus of claim 1, further comprising a needle for pulling the appliance into the mucosal layer of the vessel or other body region.

22. (new) The apparatus of claim 16, wherein implanting the elongated member comprises pulling the elongate member into the mucosal layer with a needle.

23. (new) A method for maintaining patency of or for causing to become patent, open or unobstructed, a pharyngeal region of a human or animal, the method comprising the steps of:

providing an elongated member having a desired stiffness and resiliency, the elongated member comprising a body portion and end portions spaced apart from the body portion, the

body portion and the end portions together defining an interior open space;

introducing the elongated member into the pharyngeal region; and

pulling the elongated member into the mucosal layer with a needle to at least partially implant the elongated member submucosally into walls of the pharyngeal region.

24. (new) The method of claim 23, wherein the elongated member is implanted substantially entirely submucosally into the walls of the pharyngeal region.

25. (new) The method of claim 23, wherein introducing the elongated member comprises:

pulling end portions of the elongated member together to form a folded configuration;

placing the elongated member into the vessel in the folded configuration; and

releasing the elongated member within the vessel.